

Public Safety Broadband Network Commission (PSBC)
Department of Public Safety Headquarters, 3rd Floor Large Conference Room, Waterbury
Minutes of Meeting
October 30, 2017

- Chair, **Terry LaValley**, called the meeting to order at 1:35 pm with the following **Commission members** present: **Frank Costantino**, Agency of Digital Services; **Barbara Neal**, E-911 Board; **Ken Jones**, ACCD; **Chris Herrick**, Department of Public Safety; **Thomas Hango**, Vermont State Police (via conference call); **Robert T. White**, Agency of Transportation; **Steven Locke**; Burlington Fire Department; **Dan Manz**, EMS Representative; **Ron Kumetz**, Vermont Firefighters Association (via conference call); and also **present**: **Lisa Helme**, DPS; **Rhonda Camley**, DPS; **Bojan Brkovic**, DPS; **Suellen Royea**, DPS/CJS; **Brandon Abley**, Televate; **Rick Burke**, Televate; **Michael Varney**, FirstNet; **Owen Smith**, AT&T; **Bill Hayes**, member of the public; **Tim Tassiwani**, member of the public; and **Steve Whitaker**, member of the public. Introductions were made by those in attendance.

- **Agenda Review & Minute approval for September 25, 2017 Meeting**: **Chris Herrick made a motion to accept the agenda as proposed. Dan Manz seconded the motion. Motion carried. Dan Manz made a motion to approve the minutes as drafted. Robert White seconded the motion. Motion carried.**

- **FirstNet Update, Michael Varney**: Michael Varney reported that the final state plan and overview documentation were issued; FirstNet recently launched the application development portal; 27 states/territories have publically opted-in; and there have been no opt-outs declared at this point. Several questions were asked regarding drawbacks to waiting to declare an opt-in/opt-out decision and fees for leasing spectrum. Michael Varney noted drawbacks include: a delay of access to the network, the scheduled plan for buildout would change, and offers from AT&T for additions to the core state plan may not be available. It was explained that the spectrum lease fee starts to accrue on December 29, 2017, and payment would be due upon a signed lease agreement between FirstNet and Vermont.

- **Update from SPOC, Terry LaValley**: Terry LaValley reported on the House Committee on Energy and Technology Legislative Hearing held on October 13, 2017. It was noted that the Committee heard where the commission was at in the evaluation process, the process used to review opt-out proposals, and the continuing work with FirstNet and AT&T. Rivada, AT&T and Verizon also were present at the hearing and reviewed their offers to Vermont. Feedback from several commission members who attended the hearing included: agreement that the legislative committee was interested in hearing what the commission has been doing; discussion on how FirstNet would enforce the terms of the contract agreement with AT&T; and that it was emphasized that this is a network for first responders. Terry LaValley reported that an independent review is underway to ensure due diligence in considering opt-in/opt-out options

for Vermont. Commission members agreed it was a good process. Terry LaValley noted that the diversity on the commission helps the PSBC consider all of the needs of the public safety and first responder community. Terry LaValley reported that no additional outreach activities occurred since the last meeting.

- **Public Comment:**
 - Steve Whitaker commented that he sent a copy of his testimony to commission members, which emphasized privacy concerns, the value of Band 14 spectrum, and the need for more planning before moving forward. He suggested more outreach was needed and urged commission members to exercise due diligence in examining all options for Vermont. He thought Vermont should opt-out.
 - Tim Tassiwani spoke about his concern for first responder safety and that, regardless of who builds the network, emphasized that the network was needed.

- **Final Report from Televate:** The Chair asked for a motion that the Public Safety Broadband Network Commission go into executive session to receive the report of Televate on the coverage and technical specifications found within Vermont's SPP. The commission finds that under Vermont's access to public record laws, there will be discussion on and documents considered that qualify as trade secrets and confidential business records. Chris Herrick moved to go into executive session. Robert White seconded the motion. Motion carried.

Meeting recessed at 2:07 pm for non-commission members and non-essential staff to leave the room. The meeting resumed from executive session at 3:24 pm.

- **RFP Responses:** The Chair asked for a motion that the commission go into executive session to allow for discussion and consideration of proposals submitted in response to the RFP for a Vermont Alternative RAN. The commission finds that premature general public knowledge of these proposals and pricing would clearly place the commission and DPS at a substantial disadvantage on the vendor selection and negotiation of a contract. Tom Hango moved to go into executive session to review the RFP responses. Ron Kumetz seconded the motion. Motion carried.

Meeting recessed at 3:26 pm for non-commission members and non-essential staff to leave the room. Meeting resumed from the second executive session at 3:58 pm.

- **General Business:** The Chair asked the commission for feedback regarding next steps to take in both the RFP process and in preparation for a recommendation to the Governor regarding opt-in/opt-out. Commission member feedback included: waiting for the results from the independent review; that members should evaluate all the information available before coming

together again; and waiting to make a recommendation until more information is gathered. It was noted that the Governor's deadline for making a decision is December 28, 2017, and that the Chair had made a commitment to provide the Governor with the commission's recommendation by mid-November. Regarding when to schedule the next meeting, it was suggested that a meeting be scheduled after the final independent review is received. The commission discussed whether the independent review would change the commission's recommendation and the format in which the commission would transmit the recommendation to the Governor. The consensus was to wait for the results of the independent review to ensure that the commission had not overlooked any materials and that the recommendation to the Governor would be in the form of an Executive Summary. Chris Herrick moved to defer scheduling a meeting to see the results of the independent review. Dan Manz seconded the motion. Motion carried. Staff will contact commission members with potential future meeting dates.

- **Adjournment: Dan Manz made a motion to adjourn. The motion was seconded by Robert White. Motion carried. Meeting adjourned at 4:12 pm.**